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amended.

generating a command to drive the electric motor with a driving characteristic that exceeds a rated value of the driving characteristic of the electric motor, wherein the driving characteristic correlates between a motor speed and an output torque for supplying the power; and

controlling, in response to the command, driving of the electric motor with the driving characteristic that exceeds the rated value for a limited period of time.

#### REMARKS

Claims 1-17 are pending. By this Supplemental Amendment, claims 1, 12, 16 and 17 are amended. No new matter is added by any of these amendments.

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on June 27, 2001. Applicants respectfully request the Examiner to initial and return to the undersigned a copy of the Form PTO-1449 to acknowledge the fact that the Examiner has considered the foreign patent documents cited therein.

Applicants appreciate the courtesies extended to Applicants' representative by Examiners Gonzalez and Ponomarenko during the August 1, 2002 interview. The points discussed during the interview are incorporated in the remarks below and constitute Applicants' record of the interview.

Reconsideration based on the following remarks is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 CFR §1.121(c)(1)(ii)).

Claims 1, 12, 16 and 17 have been amended to obviate the rejection under 35 U.S.C. §112, second paragraph. Specifically, the association between "power" and "output characteristic patterns" has been more explicitly recited, as suggested by the Examiners, in the amended claims. Withdrawal of the rejection under 35 U.S.C. §112 based on the

additional amendments, July 24 Amendment and August 1 personal interview, is respectfully requested.

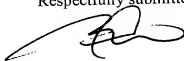
It is respectfully submitted that claims 1-5, 8, 11, 12 and 15-17 are patentable over Takaoka *et al.* (U.S. Patent 6,166,449) in view of Kiuchi *et al.* (U.S. Patent 5,867,009), and that claims 6, 7, 9, 10, 13 and 14 are patentable over Takaoka and Kiuchi and further in view of Ibamoto *et al.* (U.S. Patent 5,938,712), based on the further amendments to the claims as suggested by the Examiners during the August 1 personal interview and the comments made in the July 24 Amendment.

For at least these reasons, Applicants respectfully assert that the independent claims are now patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §103 be withdrawn.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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JAO:GWT/gwt

Attachment:  
Appendix

Date: August 12, 2002

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## APPENDIX

## Changes to Claims:

The following is a marked-up version of the amended claims:

1. (Amended) A power output apparatus operable to generate power from at least an electric motor to a drive shaft, comprising:

a pattern storing unit that stores a plurality of output characteristic patterns in which the power is generated to the drive shaft, wherein an output characteristic pattern of the plurality of output characteristic patterns correlates between a motor speed and an output torque for supplying the power;

a pattern selecting unit that selects one of said plurality of output characteristic patterns stored in the pattern storing unit; and

a drive controller that controls driving of at least the electric motor so that the power that is within a range of the selected output characteristic pattern is generated to the drive shaft.

12. (Amended) A power output apparatus operable to generate power from at least an electric motor to a drive shaft, comprising:

a command generating unit that generates a command to drive the electric motor with a driving characteristic that exceeds a rated value of the driving characteristic of the electric motor, wherein the driving characteristic correlates between a motor speed and an output torque for supplying the power; and

a drive controller that controls driving of the electric motor,

wherein the drive controller is operable, in response to the command from the command generating unit, to control driving of the electric motor with the driving characteristic that exceeds the rated value for a limited period of time.

16. (Amended) A control method of a power output apparatus operable to generate power from at least an electric motor to a drive shaft, comprising the steps of:

selecting one from a plurality of output characteristic patterns in which the power is generated to the drive shaft, wherein an output characteristic pattern of the plurality of output characteristic patterns correlates between a motor speed and an output torque for supplying the power; and

controlling driving of at least the electric motor so that the power that is within a range of the selected output characteristic pattern is generated to the drive shaft.

17. (Amended) A control method of a power output apparatus operable to generate power from at least an electric motor to a drive shaft, comprising the steps of:

generating a command to drive the electric motor with a driving characteristic that exceeds a rated value of the driving characteristic of the electric motor, wherein the driving characteristic correlates between a motor speed and an output torque for supplying the power; and

\_\_\_\_\_controlling, in response to the command, driving of the electric motor with the driving characteristic that exceeds the rated value for a limited period of time.